

# IN THE MICHIGAN COURT OF APPEALS

## ORDER

Re: **People of MI v Robert Lee Drain**  
Docket No. **290646**  
L.C. No. **99-017293-FC**

Christopher M. Murray, Chief Judge Pro Tem, acting under MCR 7.201(B)(3) and 7.216(A)(10), orders:

The delayed application for leave to appeal is DISMISSED for failure to pursue the case in conformity with the rules. MCR 7.201(B)(3) and 7.216(A)(10). The Clerk of this Court provided notice regarding the nature of the defects in this filing, and the defects were not corrected in a timely manner by providing this Court with a copy of a prisoner account statement for the prior 12 months and a copy of the transcripts or transcript pages substantiating the issues raised in the application. Dismissal is without prejudice to whatever other relief may be available consistent with the Court Rules.

The motions to waive fees and to remand for an evidentiary hearing are also DISMISSED.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

**APR 13 2009**

Date

*Sandra Schultz Mengel*  
Chief Clerk